

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INTELLIVISION, a Joint Venture, : Civil Action No. 07 CV 4079 (JGK)
Plaintiff, : ECF Case
- against - :
NOTICE OF MOTION

MICROSOFT CORPORATION,
Defendant.

Civil Action No. 07 CV 4079 (JGK)
ECF Case

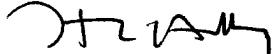
NOTICE OF MOTION

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss, dated June 15, 2007, and the Declaration of Robert S. Landy dated June 15, 2007, including the exhibit attached thereto, the defendant will move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, before the Honorable John G. Koeltl, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a time and place to be determined by the Court, for an Order dismissing Plaintiff's Complaint in its entirety, and for such further and other relief that the Court may deem just and proper.

Dated: New York, New York
June 15, 2007

Respectfully submitted,



SULLIVAN & CROMWELL LLP
Steven L. Holley (SH2485)
Robert S. Landy (RL9873)
125 Broad Street
New York, New York 10004
(212) 558-4000

Attorneys for Microsoft Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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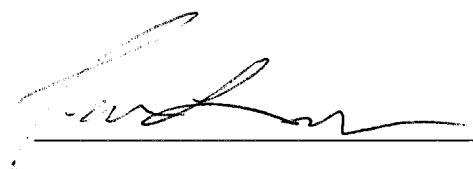
INTELLIVISION, a Joint Venture, : Civil Action No. 07 CV 4079 (JGK)
Plaintiff, : ECF Case

- against - : AFFIDAVIT OF SERVICE

MICROSOFT CORPORATION, :
Defendant. :
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STATE OF NEW YORK)
ss.
COUNTY OF NEW YORK)

ROBERT S. LANDY, being duly sworn, deposes and says that he is over 18 and not a party to this action and that on this 15th day of June, 2007, he caused to be served by hand true copies of Microsoft Corporation's Notice of Motion to Dismiss, the Memorandum of Microsoft Corporation in Support of it Motion to Dismiss, the Notice of Appearance for Steven L. Holley and the Declaration of Robert S. Landy with attachment in the above-captioned action upon Bruce D. Katz, Esq., 225 Broadway, New York, New York 10007.



Sworn to before me this
15th day of June, 2007

Arlene Schaffner
Notary Public
ARLENE SCHAFFNER
Notary Public, State of New York
No. 4644282
Qualified in New York County
Commission Expires Aug. 31, 2009